

Appl No. 10/521685
Reply to Action dated 11/08/07
Page 6

REMARKS

Applicant respectfully requests favorable reconsideration and reexamination of this application.

Claim 1 has been revised to include all of the features of allowable claim 7 and intermediate claim 2. Claims 2 and 7 have been cancelled, and claims 3, 5, 8-10, 12, and 15 have been revised to track with the cancelled claims and revised claim 1. Claims 18-20 are new, and supported by, for example, original claims 1, 3, 13, 14, and 16, and Fig. 4 in the Specification. There is no new matter. Claims 1, 3-6, and 8-20 are pending.

Claim Rejections – 35 USC § 112

Claim 16 was rejected under 35 USC 112, second paragraph, for insufficient antecedent basis for the limitations “the suction portion” and the “disposing portion.” Claim 16 has been amended, wherein the term “suction portion” has been revised to “suction applying clearance,” and the phrase “the disposing portion” has been revised to “a disposing portion.” Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections – 35 USC § 102

Claims 1-4 and 15-17 were rejected under 35 USC 102(b) as being anticipated by Yokota et al. (US 5560470). Applicant does not concede the correctness of the rejection. This rejection is moot because claim 1 has been revised to include all of the limitations of allowed claim 7.

Moreover, the rejection erroneously stated that Yokota et al. teaches that a suction portion is formed by a recess (14) that is smaller than the positioning portion in Fig. 1. As this statement may be applicable to new claims 18-20, Applicant respectfully submits that Yokota et al. in fact teaches that the recess (14) provides openings for push bars (13) to push the test strips to move the test strips (column 2, lines 44-46). Only reference characters 15, 17, and 27 are described as “suction holes” in Yokota et al. and there is no discussion of a suction function for the recess 14. Accordingly, Yokota et al. does not teach or suggest the feature of independent claim 18. Claims 18-20 are patentable over Yokota et al.

Claims 1-3, 5-6, 13-14 and 17 were rejected under 35 USC 102(e) as being anticipated by Murata (US 6582659). Applicant does not concede the correctness of the rejections. These

Appl No. 10/521685
Reply to Action dated 11/08/07
Page 7

rejections are moot because claim 1 has been revised to include all of the limitations of allowed claim 7. Moreover, Murata fails to teach or suggest, for example, a second recess portion as required in independent claim 18. Thus, claims 18-20 are patentable over Murata.

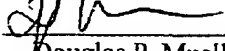
In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. 30,300, at (612)455-3804.



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Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: 
Douglas P. Mueller
Reg. No. 30,300
DPM/ajk/tk